

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:09CR3072
)	
v.)	
)	
JEMAIN LARON SIDNEY,)	MEMORANDUM AND ORDER
)	
Defendant.)	

Pursuant to the memorandum and order submitted on August 6, 2009 (filing 44) and also for the reasons stated on the record during the evidentiary hearing held on August 28, 2009,

IT IS ORDERED that:

1. The motions to suppress (filing 38 and 40) are denied except as stated in the following paragraph.
2. The motion to suppress statements (filing 40) is granted to the limited extent that the defendant's admission ("Its crack.") made in response to Officer Roach's question ("What's this?") during booking on March 12, 2009 is granted. That particular statement is suppressed. To be clear, however, the crack cocaine found on the defendant by a corrections officer during booking is not suppressed.

DATED this 31st day of August, 2009.

BY THE COURT:

Richard G. Kopf
United States District Judge